



# MISSOURI DEPARTMENT OF MENTAL HEALTH

DORN SCHUFFMAN, DEPARTMENT DIRECTOR



DEPARTMENT  
OPERATING  
REGULATION  
NUMBER

DOR  
6.050

|  |  |                            |                          |                       |
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| CHAPTER<br>Human Resources                             | SUBCHAPTER Employee<br>Rights and Procedures | EFFECTIVE DATE<br>7/1/2002 | NUMBER OF PAGES<br>3     | PAGE NUMBER<br>1 of 3 |
| SUBJECT<br>Disciplinary Actions                        |  | AUTHORITY<br>630.050, RSMo | HISTORY See Below        |                       |
| PERSON RESPONSIBLE<br>Deputy Director, Human Resources |  |                            | SUNSET DATE<br>7/01/2004 |                       |

**PURPOSE:** Defines actions and terms related to employee discipline.

**APPLICATION:** Applies to the entire department.

(1) As used in this D.O.R., the following terms shall mean:

(A) "Appointing authority," head of the facility for employees of the facility, division director for division-wide employees, and department director for department-wide employees.

(B) "Designee," an employee designated through policy, procedures or practice to act on the part of the Appointing Authority in certain matters.

(C) "Discipline," a reprimand, suspension, involuntary demotion, or dismissal by the appointing authority for misconduct, a violation of department, division or facility rules, regulations, policies, procedures or practices, or for deficiencies in performance.

(D) "Dismissal," a separation from employment for disciplinary purposes.

(E) "Involuntary demotion," an involuntary change for disciplinary purposes of an employee from a position in one class to a position in a class of lower rank.

(F) "Reprimand," a disciplinary action in the form of a letter or memorandum to an employee notifying the employee of misconduct, violations of department, division or facility rules, regulations, policies, procedures or practices, or for deficiencies in performance, and the consequences of further misconduct, violations, or deficiencies in performance.

(G) "Supervisor," the rater of employee on the performance plan and appraisal.

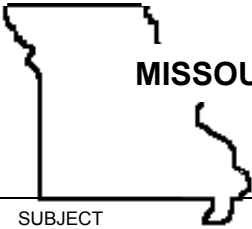
(H) "Suspension," an enforced leave of absence without pay for disciplinary purposes.

(I) "Verbal counseling," an oral discussion by a supervisor with an employee about misconduct, violations of rules, regulations, policies, procedures or practices, or deficiencies in performance.

(J) "Written counseling," an official memorandum from an employee's supervisor about misconduct, violations of rules, regulations, policies, procedures or practices, or deficiencies in performance.

(2) The letter notifying an employee of suspension, involuntary demotion or dismissal shall be issued by the appointing authority.

(3) The letter or memorandum notifying an employee of an reprimand shall be signed by the appointing authority or designee, except that no member of a union's bargaining unit may be designated to reprimand another member of the same bargaining unit.



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(4) The letter or memorandum notifying an employee of disciplinary action shall be presented to the employee by the supervisor, appointing authority or the appointing authority's designee. The employee shall sign and date that the letter was received. If the employee refuses to sign, the supervisor, appointing authority or appointing authority's designee shall so document. If the employee is not available to receive the letter, it shall be sent to the employee's last address of record by certified mail.

(5) A copy of the letter or memorandum notifying an employee of disciplinary action shall be placed in the employee's personnel file.

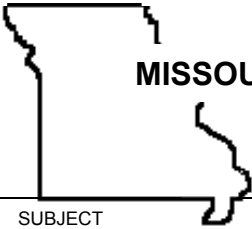
(6) An employee who has attained regular status under the Merit System and is suspended without pay for more than five days, is involuntarily demoted, or is dismissed has rights to appeal to the Personnel Advisory Board as outlined in 1 CSR 20-4.010 of the Rules and Regulations of the Personnel Advisory Board and the Personnel Division. The letter notifying an employee of such action shall inform the employee of such appeal rights.

(7) An employee who is suspended without pay for five days or less may appeal the suspension in accordance with DOR 6.090 (Handling Employee Grievances) or its successor policies.

(8) An employee who has attained regular status under the Merit System and is suspended without pay, involuntarily demoted or dismissed may present facts and circumstances to the appointing authority or the appointing authority's designee prior to the effective date of the action to show reasons why the action should not be taken. The letter notifying an employee of such action shall inform the employee of this right. The effective date of the action shall be such that the employee has a reasonable amount of time to prepare a response after the date notifying the employee of the action.

(9) A copy of the letter notifying an employee of suspension, involuntary demotion or dismissal shall be sent to the Division of Personnel. For actions taken against an employee who has attained regular status under the Merit System, the copy of the letter shall be sent to the Division of Personnel prior to the effective date of the action. A copy shall also be sent to the Office of Human Resources in the Central Office of the department.

*History: Original DOR effective October 15, 1981. Amendment effective October 1, 1984. Amendment effective July 1, 2002. On July 1, 2003 the sunset date was extended to July 1, 2004.*



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